

**EXHIBIT A – FINDINGS
NOVY MINOR USE PERMIT**

Environmental Determination

- A. This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

Minor Use Permit

- B. The proposed project or use is inconsistent with the San Luis Obispo County General Plan because the project is not eligible to connect to the Los Osos Wastewater Treatment Plant, and is located within the Prohibition Boundary of Los Osos/Baywood Park which prohibits new waste discharge from individual sewage disposal systems. The project's proposed septic system would adversely affect ground and surface waters, and would contribute to high nitrate levels within the groundwater basin, which is inconsistent with General Plan policies.
- C. The proposed project or use does not satisfy all applicable provisions of Title 23 of the County Code because it would allow a septic system to be installed within the Prohibition Boundary of Los Osos/Baywood Park, and would be inconsistent with Section 23.06.106 because it is unable install an on-site sewage disposal system that will not adversely affect groundwater resources or sensitive habitat.
- D. The proposed project or use does not satisfy all applicable provisions of the Estero Area Plan, because the proposed project cannot satisfy the requirement for on-site wastewater disposal and is not eligible at this time to connect to the Los Osos Wastewater Treatment Plant. Installation of an on-site septic system would violate the Central Coast Regional Water Quality Control Board's prohibition of discharge from individual sewage disposal systems within the Los Osos/Baywood Park area, would adversely affect ground and surface waters, and contribute to high nitrate levels within the groundwater basin.
- E. The establishment and subsequent operation or conduct of the use will, because of the circumstances applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the single-family residence cannot adequately install an on-site wastewater disposal system, and is ineligible to hookup to the Los Osos Wastewater Treatment Plant. Installation of an on-site septic system would violate the Central Coast Regional Water Quality Control Board's prohibition of discharge from individual sewage disposal systems within the Los Osos/Baywood Park area.
- F. The proposed project or use will be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project would allow a septic system to be installed within the Prohibition Boundary of Los Osos/Baywood Park which will conflict with the surrounding lands and uses and adversely affect ground and surface waters by contributing to high nitrate levels within the groundwater basin.
- G. The proposed project or use is inconsistent with Resolution 83-13 of the Central Coast Regional Water Quality Control Board's Water Quality Control Plan because installation of a septic system would violate this resolution and prohibition and would adversely

ATTACHMENT 01

affect ground and surface waters and contribute to high nitrate levels within the groundwater basin.

- H. Denial of this minor use permit does not constitute an unconstitutional taking because the subject parcel could be developed in the future when it is eligible to connect to the Los Osos Wastewater Treatment Plant.

Coastal Access

- I. The proposed use is in not in conformity with the Coastal Plan Policies of the Local Coastal Program, because the proposed project is ineligible connect to the sewer based on Special Condition #6 of the Los Osos Wastewater Treatment Plant permit, and cannot utilize a septic system based on the Resolution 83-13 and the August 8, 2016 letters from Central Coast Regional Water Quality Control Board, the project will not have adequate means to dispose of wastewater.